

Before the

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of

PETITION FOR WAIVER OF
REGISTRATION AND CERTIFICATION
REQUIREMENT OF CLOSED
CAPTIONING RULES

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MB Docket No. 05-261

**REPLY COMMENTS OF
THE ALLIANCE FOR COMMUNITY MEDIA**

Michael S. Wassenaar
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February 24, 2017

REPLY COMMENTS OF THE ALLIANCE FOR COMMUNITY MEDIA

The Alliance for Community Media (“ACM”), submits these comments in reply to the comments of other parties in this docket regarding our petition to waive the registration and certification requirement of the closed caption rules for Public, Educational and Government (PEG) Access producers submitted to the Commission last year.

I. COMMENTERS AGREE WITH ACM’S REQUEST

The vast majority of commenters on the petition agree with our request for a waiver and with the rationales we provided in our petition. Commenters in support included PEG Access operations in both large and small communities across the country, as well as NATOA, which represents local governments.¹ Additionally, both NCTA and consumer groups acknowledge the burden we describe in our petition, and either support the petition as it relates to PEG Access producers or agree that the generation of a “significant quantity of exemption certifications for such producers would not serve the interests of viewers who are deaf and hard of hearing.”²

Commenters agree with the rationale presented in our petition, that requiring PEG Access producers to register and certify their exemption status would present a burden to organizations

¹ Comments of Falmouth Community Television (Falmouth, MA); Comments of Raleigh Television Network (Raleigh, NC); Comments of Northampton Community Television (Northampton MA); Comments of Access Chautauqua County TV (Mayville, NY); Comments of Community Television Network (Portland, ME); Comments of MetroEast Community Media (Gresham, OR); Comments of City of Lynn Community Television (Lynn, MA); Comments of Provincetown Community TV (Provincetown, MA); Comments of Hardwick Community TV (Hardwick, VT); Comments of City of Boston, MA; Comments of City of Los Angeles, CA; Comments of Sacramento Metropolitan Cable Television Commission (Sacramento, CA); Comments of E. Puanani Ford (Woodbridge, CT); Comments of National Association of Telecommunications Officers and Advisors.

² Comments of NCTA – The Internet & Television Association, Page 1; Comments of Telecommunications for the Deaf and Hard of Hearing, Inc. et al. (“Consumer Groups”), Page 1.

with limited capacities and would in some cases be a disincentive for some members of the public to use PEG Access channels or use resources that could otherwise be used to serve the public more fully.

II. ACM’S REQUEST IS SOLELY RELATED TO PEG ACCESS PRODUCERS AND THE REGISTRATION AND CERTIFICATION REQUIREMENT

While several commenters bring up issues involving closed caption quality³, exemptions⁴ and reporting and certification requirements for commercial channels⁵, we wish to reiterate that ACM’s petition for a waiver solely pertains to *producers on PEG Access channels*, and only regards the registration and certification requirement in the Second Report and Order on Closed Captioning. Issues brought up in several comments go beyond the scope of our petition and should not be considered as the Commission weighs the petition’s merits. We also reaffirm that ACM supports and promotes the Commission’s caption quality standards, and the petition does not pertain to PEG Access channels themselves, which will register and certify their exemption status as a result of the Second Report and Order on Closed Captioning.⁶

We appreciate the Commission’s resolution of the issue we have raised and again respectfully request the grant of the waiver described in our petition.

³ Comments of National Court Reporters Association, which opposes the petition on the basis that eliminating the registration and certification requirement for this limited category of exempt programming would somehow diminish the quality of closed captioned programs which are not exempt. See also Consumer Groups, page 2.

⁴ Consumer Groups, pages 2-3.

⁵ NCTA, pages 3-4.

⁶ This distinction between registration for channels and producers is characterized well by the City of Boston and other communities in their comments. See City of Boston, pages 5-7.

Respectfully submitted,

/s/

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